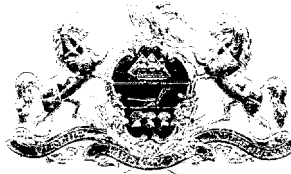


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HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES:

TRANSPORTATION, DEMOCRATIC CHAIRMAN  
POLICY COMMITTEE

NORTHEAST DELEGATION  
STATE TRANSPORTATION COMMISSION  
RAIL FREIGHT ADVISORY COMMITTEE

RAILROAD SYSTEM CHANGES TASK FORCE  
PA PEDALCYCLE AND PEDESTRIAN ADVISORY  
COMMITTEE  
PA AVIATION ADVISORY COMMITTEE

October 22, 2001

Ms. Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
Portals II  
445 Twelfth Street, SW  
Suite TW-A325  
Washington, DC 20554

JAN - 2 2002

96-981

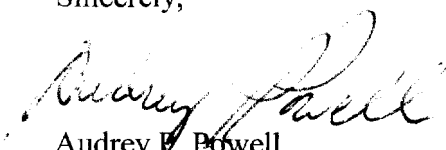
**RE: In the Matter of Common Carrier Bureau Seeks  
Comments on the Petitions of Representative Keith R. McCall  
and Other Pennsylvania State Representatives and the  
Louisiana Public Service Commission Requesting Delegated  
Authority to Implement Number Conservation Measures**

Dear Ms. Salas,

I have enclosed for filing one original and four copies of Representative Keith R. McCall's Comments in the above referenced matter.

Please acknowledge receipt of this filing on the additional copy provided and return it in the enclosed stamped, self-addressed envelope. Thank You.

Sincerely,

  
Audrey V. Powell  
Research Analyst

Enclosure:

cc: Carmell Weathers, Network Services Division

No. of Copies rec'd 0+5  
List ABCDE

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

JAN - 2 2002

<b>In the Matter of</b>	:	
	:	
<b>Common Carrier Bureau Seeks Comments</b>	:	<b>NSD File No. L-01-113 (PA)</b>
<b>On The Petitions of Representative Keith R.</b>	:	<b>NSD File No. L-01-147 (LA)</b>
<b>McCall And Other Pennsylvania State</b>	:	
<b>Representatives And The Louisiana Public</b>	:	<b>CC Docket 96-98</b>
<b>Service Commission Requesting Delegated</b>	:	<b>CC Docket 99-200</b>
<b>Authority To Implement Number Conservation</b>		
<b>Measures</b>		

**COMMENTS OF REPRESENTATIVE  
KEITH R. McCALL**

**I. INTRODUCTION.**

Representative Keith R. McCall hereby submits these comments in response to the Public Notice released by the Federal Communications Commission (Commission) in the above captioned proceeding on October 9, 2001. Representative McCall is a member of the Pennsylvania House of Representatives duly elected to represent the interest of Pennsylvanians residing in 122<sup>nd</sup> Legislative District in Northeastern Pennsylvania. The 122<sup>nd</sup> Legislative District consists of all of Carbon County and the borough of White Haven in Luzerne County that, for the great part, are served by the 570 area code or NPA (Numbering Plan Area).

Through the Public Notice, the Common Carrier Bureau (CCB) seeks comments on the *Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting That Additional Authority Be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures (Petition)*.

In the *Petition*, Representative McCall and the State Legislators (Petitioner) request that the Commission grant additional authority to the Pennsylvania Public Utility Commission (PAPUC) to implement thousands-block number pooling in the 570 NPA in Northeastern Pennsylvania. The Petitioners sought the additional authority on the behalf of the PAPUC in an effort to stave off the introduction of a new area code overlay in the 570 NPA, which was and continues to be subject to area code relief. Accordingly, these comments are submitted in support of the *Petition*. However, and in light of recent occurrences in the 570 NPA initiated by the telecommunications industry (industry) in collaboration with the Pennsylvania Office of Consumer Advocate (PAOCA), the Petitioners respectfully request that the Commission consider the following comments and forbear consideration of the *Petition* until a recently adopted State and industry conservation effort to manage the numbering crisis in 570 is realized.

## **II. RECENT CONSERVATION EFFORT IN THE 570 NPA.**

The 570 NPA was activated in Northeastern Pennsylvania on April 8, 1999, through a geographic split of the 717 NPA. At that time, the 570 NPA was projected to have enough numbering resources to last until the second quarter 2009. Subsequent NANPA exhaust forecasts for 570, however, revised the expected exhaust date to the first quarter 2002 and the second quarter 2003, respectively. This fluctuation in exhaust projections did not remedy the need for area code relief in 570. Consequently, the NPA Relief Planner for Pennsylvania (NeuStar) filed a petition with the PAPUC seeking approval of an area code relief plan for 570. The plan, which has the consensus of the telecommunications industry, provides for creation of a new area code through the implementation of an all services distributed overlay. The current Numbering Resource Utilization/Forecast (NURF) data indicate that the 570 NPA will reach exhaust in the fourth quarter 2003.

To further its efforts to alleviate the proliferation of area codes in Pennsylvania, the PAPUC, by Order issued on February 8, 2001, created the Rate Center Consolidation (RCC) Subcommittee to investigate rate center consolidation as a numbering conservation measure in Pennsylvania. The RCC Subcommittee is composed of PAPUC staff, PAOCA staff, and representatives of the telecommunications industry. The RCC Subcommittee was expressly tasked with developing a rate center consolidation plan that would consolidate any and all NPAs in Pennsylvania. Moreover, the PAPUC directed the RCC Subcommittee to file its proposed RCC implementation plan by August 1, 2001.

During Subcommittee discussion aimed at designing strategies for the implementation of rate center consolidation, the PAOCA was primarily concerned with

the effects RCC would have on ratepayers and where it could most productively be developed and implemented.<sup>1</sup> As a veteran of the perpetual battles over area code proliferation, the PAOCA viewed the RCC Subcommittee as a possible facilitator for developing specific measures and/or strategies (in addition to and including rate center consolidation) to improve numbering usage in area codes nearing exhaust in order to avoid the introduction of new area codes, especially overlay area codes. The PAOCA was particularly interested in the implementation of number conservation measures that would avoid the introduction of area code overlays in both the 570 and 717 NPAs; thereby, avoiding the mandatory 10-digit dialing requirement in virgin local calling areas, and the subsequent consumer cost, confusion, and inconvenience long associated with area code overlays.<sup>2</sup> Consequently, the RCC Subcommittee concluded that the most appropriate areas to study RCC implementation were local calling areas within the 570 and 717 NPAs.

The position of the industry during RCC Subcommittee discussions was centered on developing practical alternatives to rate center consolidation that could be implemented in a more timely and cost effective manner. The industry concluded that the most effective means for alleviating area code proliferation would be the implementation of thousands-block number pooling through voluntary industry consensus. Although the PAPUC cannot implement thousands-block number pooling without a grant of authority from the Commission, there is no prohibition against the

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<sup>1</sup> The PAOCA is an agency of the Commonwealth of Pennsylvania created by statute to represent and protect the interest of consumers/ratepayers in proceedings before the PAPUC, Federal agencies, and State and Federal courts.

<sup>2</sup> The telecommunications industry filed consensus plans to implement an overlay area code for the 570 and 717 NPAs with the PAPUC on July 19, 2000 and May 29, 2001, respectively. PAPUC action on both plans is pending. The 570 NPA was created through a geographic split of the 717 NPA, which serves South Central Pennsylvania.

implementation of voluntary thousands-block pooling, as long as such pools do not violate Commission decisions regarding numbering administration and provided that carrier participation is voluntary.<sup>3</sup> Subcommittee discussion finally resulted in an offer by the industry to voluntarily implement thousands-block number pooling in the 570 and 717 NPAs.

To promote the industry's pooling proposal before the PAPUC, a *Joint Petition for Settlement and Agreement for Accelerated Thousands-Block Pooling in the 570 and 717 Area Code*<sup>4</sup> (*Joint Agreement*) was drafted by the industry, in consultation with the PAOCA and Representative McCall, and submitted to the PAPUC for review and approval. The *Joint Agreement* was expressly conditioned upon the PAPUC's approval and adoption of its [*Joint Agreement*] provisions under appropriate public interest standards without modification of any of its terms or conditions, and the willingness of the PAPUC to defer further consideration of rate center consolidation. On August 9, 2001, the PAPUC issued an order for the *Implementation of Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes* [*PAPUC Order*] approving the *Joint Agreement*. In its *Order*, however, the PAPUC reserves the right to revisit rate center consolidation if voluntary thousands-block pooling is not implemented successfully in 570 by the mandated implementation date.

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<sup>3</sup> *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration*, CC Docket No. 96-98, 13 FCC Rcd 190029 (1998) recon. denied.

<sup>4</sup> The industry signers of the *Joint Petition* are LNP capable jurisdictional telephone utilities with NXX codes in either or both the 570 and 717 NPAs, including Adelphia Business Solutions, Arbros Communications, ATX/Corecomm, Choice One, CTSI, D&E Systems Inc., KMC Telecom, XO, Sprint Communications, Sprint/United Telephone Company, AT&T, and Verizon. Although US LEC and Cavalier Telephone Company do not currently hold any NXX codes in 570 or 717, they have agreed to participate in the voluntary thousands-block pooling trial.

### **III. IMPLEMENTATION OF ACCELERATED POOLING IN THE 570 NPA.**

As specified in the *Joint Petition*, the *PAPUC Order* and based on guidance and commitment from NeuStar (the NANPA), the rollout for pooling in the 570 NPA is scheduled for February 28, 2002. Moreover, NeuStar has pledged that any thousands-block pool that is ongoing in Pennsylvania prior to the national rollout will be grandfathered into the national system. The 570 NPA thousands-block pooling trial will be implemented in accordance with the *Industry Numbering Committee Thousands-Block Number Pooling Administration Guidelines (INC Pooling Guidelines)*, (INC 99-0127-023, issued January 8, 2001) and Commission rules governing pooling.

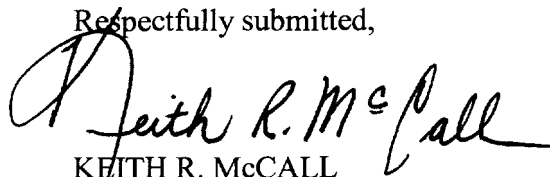
### **IV. CONCLUSION.**

Because of the ongoing efforts by the parties to the *Joint Petition* and the PAPUC to ensure that adequate numbering resources are available to meet industry and customer demand in the 570 NPA, this Petitioner respectfully request that the Commission defer consideration of the *Petition* until February 28, 2002, the agreed to date for the rollout of voluntary accelerated thousands-block number pooling in the 570 NPA. The ability of the industry to adhere to the milestones timeline established by the PAPUC to facilitate the implementation of voluntary thousands-block pooling in 570 should provide the information needed to evaluate the reliability of the agreed upon implementation date. More importantly, the ability and/or willingness of the industry to meet timeline requirements will help evaluate its commitment to improving the allocation and utilization of numbering resources in the 570 NPA. This Petitioner is certain of the industry's commitment to improving numbering resources in 570 and submits that the

implementation of voluntary thousands-block number pooling in the 570 NPA and other number conservation measures already in effect will give the industry the tools it needs to better manage and conserve numbering resources in 570.

However, if it is determined that the industry cannot or will not adhere to the pooling timelines set forth in the *PAPUC Order* for the implementation of thousands-block pooling in the 570 NPA on February 28, 2002 and if the industry would fail to implement voluntary pooling as agreed upon by that date, I would respectfully ask that the Commission reconsider the *Petition* at that time or, as alluded to by NeuStar, grandfather the 570 NPA into the national pooling rollout schedule.

Respectfully submitted,

A handwritten signature in black ink, reading "Keith R. McCall". The signature is fluid and cursive, with the first name "Keith" being the most prominent.

KEITH R. McCALL  
State Legislator  
122<sup>nd</sup> Legislative District

By: Audrey P. Powell  
Research Analyst

Pennsylvania House of Representatives  
P. O. Box 202020  
Harrisburg, PA 17120-2020  
717.783.1375

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

Common Carrier Bureau Seeks Comments	:	NSD File No. L-010-113 (PA)
On The Petition of Representative Keith R. McCall and Other Pennsylvania State Representatives and the Louisiana Public Service Commission Requesting Delegated Authority to Implement Number Conservation Measures	:	NSD File No. L-01-147 (LA)
	:	CC Docket No. 96-98
	:	CC Docket No. 99-200

**CERTIFICATE OF SERVICE**

I, Audrey P. Powell, hereby certify that I have, on this 22<sup>nd</sup> day of October 2001, served an original and four true and correct copies of the Comments of Representative Keith R. McCall in this proceeding upon the Secretary of the Federal Communications Commission by United States Postal Service Express Mail, that I have served two true and correct copies upon the Network Services Division by United States Postal Service Express Mail and that I have served one true and correct copy upon certain other parties listed below by U. S. Postal Service First Class Mail.

**Via U.S. Postal Service Express Mail:**

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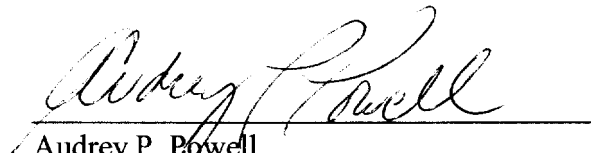
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